

July 29, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION
PERTAINING TO THE ENFORCEMENT OF
STRUCTURAL FUMIGATIONS
(ALL DISTRICT) (3-VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the accompanying Memorandum of Understanding (MOU) with the California Department of Pesticide Regulation (DPR), which reimburses the enforcement of structural pesticide regulations by the Los Angeles County Agricultural Commissioner/Weights and Measures Department (ACWM) during the period July 1, 2003 through June 30, 2006.
2. Instruct the Department Head to sign and to return the MOU to the Department along with a copy of the minute order.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Specific highly toxic fumigants (Vikane and Methyl Bromide) are regulated by Titles 3 and 16 of the California Code of Regulations, the California Food and Agricultural Code, and the Business and Professions Code.

The "Structural Fumigation Enforcement Program" regulates the structural fumigation industry to ensure compliance with these regulations. Each year, the ACWM enforces these regulations by inspecting approximately 2,000 fumigations. It is estimated that 40,000 properties are fumigated annually throughout Los Angeles County by 111 companies. The Department inspects these companies to ensure compliance with all regulations to protect the public, industry workers, and the environment.

The ACWM has negotiated the attached MOU with DPR to enforce these regulations countywide. This MOU funds the Agricultural Commissioner/Weights and Measures Department to inspect fumigated properties.

The Board has approved similar contracts with DPR for enforcement of pesticide regulations since 1993.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This agreement supports the County's Strategic Plan goal of Service Excellence. The Structural Fumigation Enforcement Program's goal is to ensure that structural fumigations are conducted safely in compliance with all laws and regulations. Effective review, control, and enforcement fulfill the Department's mission to protect workers, public health, and the environment from improper and illegal use of fumigants.

FISCAL IMPACT/FINANCING

This program is 100% revenue offset and there is no effect on the Department's net County cost.

The fumigation companies pay a \$5.00 fee directly to ACWM for each fumigation performed in Los Angeles County.

An average of 40,000 fumigations are performed annually at \$5.00 each, recovering \$200,000 in revenue for the continued implementation of the Structural Fumigation Enforcement Program.

FACTS AND PROVISIONS/ LEGAL REQUIREMENTS

The ACWM is required to perform structural fumigation inspections, as prescribed in Sections 8698-8698.6 of the Business and Profession's Code.

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IMPACT ON CURRENT SERVICES

County Counsel has approved the State's standard MOU as to form. When approved, please return to this Department the five (5) unsigned copies along with the minute order authorizing the Department Head to sign. My department will forward the documents to the California Department of Pesticide Regulation.

Respectfully submitted,

Cato R. Fiksdal
Agricultural Commissioner/
Director of Weights & Measures

CRF:RGA:MA:el

Attachment

c: Chief Administrative Officer
County Counsel
Each Board Deputy